



BOULT • CUMMINGS®  
CONNERS • BERRY PLC

RECEIVED

2005 SEP -8 PM 3:19

T.R.A. DOCKET ROOM

Henry Walker  
(615) 252-2363  
Fax (615) 252-6363  
Email hwalker@boultcummings.com

September 8, 2005

Ron Jones, Chairman  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

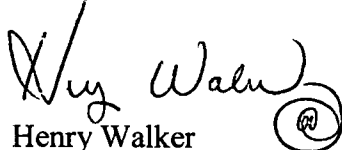
Re: *In Re: BellSouth's Petition to Establish Generic Docket to Consider Amendments to Interconnection Agreements Resulting From Changes of Law*  
Docket Number: 04-00381

Dear Chairman Jones:

Attached are the exhibits to the rebuttal testimony of Mary Conquest on behalf of ITC^DeltaCom filed on August 16, 2005 in the above-captioned proceeding. These exhibits were inadvertently omitted in error.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:   
Henry Walker

HW/djc  
Enclosure

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, to:

Guy M. Hicks  
BellSouth Telecommunications, Inc.  
333 Commerce Street, Ste. 2101  
Nashville, TN 37201-3300

James Murphy  
Boult, Cummings, Conners & Berry  
1600 Division Street, Ste. 700  
Nashville, TN 37203

Ed Phillips  
United Telephone -Southeast  
1411 Capitol Blvd.  
Wake Forest, NC 27587

H. LaDon Baltimore  
Farrar & Bates  
211 7<sup>th</sup> Avenue North, Ste. 320  
Nashville, TN 37219-1823

John Heitmann  
Kelley, Drye & Warren  
1900 19<sup>th</sup> Street NW, Ste. 500  
Washington, DC 20036

Charles B. Welch  
Farris, Mathews, et al.  
618 Church Street, Ste. 300  
Nashville, TN 37219

Dana Shafer  
XO Communications, Inc.  
105 Malloy Street, Ste. 100  
Nashville, TN 37201

on this the 8<sup>th</sup> day of September, 2005.

  
\_\_\_\_\_  
Henry M. Walker

**MVC**

**Exhibit 1**

## **Conquest, Mary (ITCD)**

---

**From:** Griffin, John M [John.Griffin@BellSouth.com]  
**Sent:** Monday, April 04, 2005 7:21 AM  
**To:** Conquest, Mary (ITCD)  
**Cc:** Wheeler, Brad; Garney, Cara; Edwards, Nanette (ITCD)  
**Subject:** RE: Accounts put in MA Status 3 28 05

Mary,

The embedded messages made no mention of AL orders. The MS orders are the ones affected by the Collocation configuration. You need to take no action; this was an education issue and has been corrected.

Do you have any specifics on the AL orders? I will check with your project manager and see what he can tell me about them and get back with you.

John Griffin  
CWINS Support Manager  
205-714-0491

-----Original Message-----

**From:** Conquest, Mary (ITCD) [mailto:mconquest@itcdeltacom.com]  
**Sent:** Thursday, March 31, 2005 4:21 PM  
**To:** Griffin, John M  
**Cc:** Conquest, Mary (ITCD); Wheeler, Brad; Garney, Cara; Edwards, Nanette (ITCD)  
**Subject:** RE: Accounts put in MA Status 3.28.05

John,  
Are you saying both the MS and AL problems were "an old outdated configuration"? How does one go about checking this information before customer's are impacted? Would your process not flag this issue before noticing my centers?  
Still need a better understanding how to resolve the issue so it doesn't happen in the future.  
Mary

-----Original Message-----

**From:** Griffin, John M [mailto:John.Griffin@BellSouth.com]  
**Sent:** Thursday, March 31, 2005 4:09 PM  
**To:** Conquest, Mary (ITCD)  
**Subject:** RE: Accounts put in MA Status 3.28.05

Mary,

I am aware of what went on with these. The collocation configuration was in an old outdated configuration. The CO technicians have been made aware of this and there should be no repeat. \*

John Griffin  
CWINS Support Manager  
205-714-0491

-----Original Message-----

**From:** Conquest, Mary (ITCD) [mailto:mconquest@itcdeltacom.com]  
**Sent:** Wednesday, March 30, 2005 10:15 AM  
**To:** Griffin, John M  
**Subject:** FW: Accounts put in MA Status 3.28.05  
**Importance:** High

HELP

-----Original Message-----

From: Ray, Kathryn B [mailto:Kathryn.B.Ray@BellSouth.com]  
Sent: Wednesday, March 30, 2005 10:06 AM  
To: Conquest, Mary (ITCD)  
Subject: Accounts put in MA Status 3.28.05  
Importance: High

Mary,

I understand that Ms. Garney and others worked with Ann Tarawneh's group on Tuesday regarding this issue. You will need to redirect your electronic message to Ann Tarawneh, and since you are asking about the Root Cause, to the CWINS Customer Support Manager, John Griffin.

Kathryn Ray

-----Original Message-----

From: Conquest, Mary (ITCD) [mailto:mconquest@itcdeltacom.com]  
Sent: Wednesday, March 30, 2005 8:40 AM  
To: Ferguson, Cassandra; Ray, Kathryn B  
Cc: Conquest, Mary (ITCD); Edwards, Nanette (ITCD)  
Subject: FW: Accounts put in MA Status 3.28.05

Casi/Kathy,

This is not a complaint about your support, but rather a plea for you to bring this mess to your upper management's attention. Our agreement was that beginning Monday your centers would be re-trained and all would function smoothly. As all the e-mails indicate that is not the case. We have been in Alabama and Mississippi and find BST is not living up to their commitments, by the way which appear in testimony and on your web site. You are impacting our ability to move our base to facility service, and we have a date set, by which this must be accomplished.

What is needed to get the centers attention? Are your OSS's not functioning correctly? What Root Cause are you finding on your side.

Please respond via e-mail by close of business today. Thanking you in advance, Mary  
Conquest InterCompany Program Manager ITC^DeltaCom/BTI

-----Original Message-----

From: Garney, Cara  
Sent: Tuesday, March 29, 2005 11:50 AM  
To: 'Casi Ferguson (E-mail)'  
Cc: Conquest, Mary (ITCD); Wheeler, Brad; Kimball, Lee  
Subject: FW: Accounts put in MA Status 3.28.05

Casi

Please see below. We have committed a certain number of cuts per day based on the guidelines we received regarding the number of cuts Bell can do per day. How can we ensure this does not happen going forward?

Regards,  
Cara Garney

-----Original Message-----

From: Garney, Cara <Cara.Garney@itcdeltacom.com>  
To: Conquest, Mary (ITCD) <mconquest@itcdeltacom.com>  
Cc: Tucker, Randy (ITCD) <RTucker@itcdeltacom.com>; Kimball, Lee <Lee.Kimball@itcdeltacom.com>; Lane, Brenda (ITCD) <BLane@itcdeltacom.com>; Stewart Teresa (ITCD) <TStewart@itcdeltacom.com>; Washburn, Rhonda (ITCD) <RWashburn@itcdeltacom.com>; Edwards, Nanette (ITCD) <NEdwards@itcdeltacom.com>

Sent: Tue Mar 29 12:19:13 2005  
Subject: Accounts put in MA Status 3.28.05

Mary,

We had 38 lines FOC'd for 3.28.05. 21 were put into MA status due to the Bell not being ready.

See details:

Fillingane Sam Dr. MS# 4104253 BOPI# MS03284614S0, LINE 1 We had to put in MA status. Jack Steel Service Corp MS# 4104247 BOPI#MS03284614S0, LINE 4 Per Kevin x  
2218 Placed in MA status RM  
Ablest Staffing Services Inc. MS#4104249 BOPI#MS03284614S0, LINE 1 (MA) Compounding Marty's Pharmacy MS#4104255 BOPI#MS03284614S0, LINE 1 (MA) Health Information Design MS#4104258 BOPI#MS03284614S0, LINE 2 (MA) Freeman Frank B DMD MS#4104259 BOPI#MS03284614S0, LINE2 (MA) Dogwood Physical Therapy  
MS#4104269 BOPI# MS03284614S0, LINE 2 (MA) Delta Muffler and Exhaust MS#4104270 BOPI#MS03284614S0, LINE 2 (MA) Park Management  
MS#4104272 BOPI#MS03284614S0, LINE 2 (MA) Texaco Interstate Stations  
MS#4104267 BOPI#MS03284614S0, LINE 1 (MA) Caribbean Insurance Agency  
MS#4098484 BOPI#NC03214614S0, LINE 3 (MA)

Thanks,  
Cara

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers. 163

## Conquest, Mary (ITCD)

---

From: Lane, Brenda (ITCD)  
Sent: Tuesday, March 29, 2005 1:07 PM  
To: Garney, Cara; Washburn, Rhonda (ITCD)  
Cc: Conquest, Mary (ITCD)  
Subject: RE: Accounts put in MA Status 3.28.05

We have escalated to Ann 205-744-0700 (our Project Managers Boss). Per Jack Shawl in CWINS yesterday ~~the CO was not wiring and they had to dispatch a tech~~. Per Clarence this is no where in there notes. All the lines were coming up as no dial tone. Ann and Clarence are checking and will call us back. We are stating we should not have to sup the orders that they should be worked before the end of this week.

Thanks

Brenda Lane  
Manager  
Account Coordination Team  
256-264-1621  
256-264-1060 Fax  
blane@itcdeltacom.com

-----Original Message-----

From: Garney, Cara  
Sent: Tuesday, March 29, 2005 11:26 AM  
To: Lane, Brenda (ITCD); Washburn, Rhonda (ITCD)  
Subject: FW: Accounts put in MA Status 3.28.05

What level have we escalated to at Bell? What date are we rescheduled to?

-----Original Message-----

From: Kimball, Lee  
Sent: Tuesday, March 29, 2005 12:25 PM  
To: Garney, Cara  
Subject: Re: Accounts put in MA Status 3.28.05

This is not good!

Let me know if we need to escalate..

-----Original Message-----

From: Garney, Cara <Cara.Garney@itcdeltacom.com>  
To: Conquest, Mary (ITCD) <mconquest@itcdeltacom.com>  
CC: Tucker, Randy (ITCD) <RTucker@itcdeltacom.com>; Kimball, Lee <Lee.Kimball@itcdeltacom.com>; Lane, Brenda (ITCD) <BLane@itcdeltacom.com>; Stewart, Teresa (ITCD) <TStewart@itcdeltacom.com>; Washburn, Rhonda (ITCD) <RWashburn@itcdeltacom.com>; Edwards, Nanette (ITCD) <NEdwards@itcdeltacom.com>  
Sent: Tue Mar 29 12:19:13 2005  
Subject: Accounts put in MA Status 3.28.05

Mary

We had 38 lines FOC'd for 3.28.05 21 were put into MA status due to the Bell not being ready.

See details:

Fillingane Sam Dr. MS# 4104253 BOPI# MS03284614S0, LINE 1 We had to put in MA status.  
Jack Steel Service Corp MS# 4104247 BOPI#MS03284614S0, LINE 4 Per Kevin x 2218 Placed i

MA status RM

Ablest Staffing Services Inc. MS#4104249 BOPI#MS03284614S0, LINE 1 (MA) Compunding Marty's Pharmacy MS#4104255 BOPI#MS03284614S0, LINE 1 (MA) Health Information Design MS#4104258 BOPI#MS03284614S0, LINE 2 (MA) Freeman Frank B DMD MS#4104259 BOPI#MS03284614S0, LINE2 (MA) Dogwood Physical Therpy MS#4104269 BOPI# MS03284614S0, LINE 2 (MA) Delta Muffler and Exhaust MS#4104270 BOPI#MS03284614S0, LINE 2 (MA) Park Management MS#4104272 BOPI#MS03284614S0, LINE 2 (MA) Texaco Interstate Stations MS#4104267 BOPI#MS03284614S0, LINE 1 (MA) Caribian Insurance Agency MS#4098484 BOPI#NC03214614S0, LINE 3 (MA)

Thanks,  
Cara



## Conquest, Mary (ITCD)

---

From: Wheeler, Brad  
Sent: Wednesday, March 23, 2005 4:53 PM  
To: Wheeler, Brad; 'Casi Ferguson (E-mail)'  
Cc: Conquest, Mary (ITCD); Gamey, Cara  
Subject: RE: CAN'T OPEN TKT

called bell for status on tkt  
It was closed [REDACTED] Bell repaired jumper in x-box

-bw  
x6933

-----Original Message-----

From: Wheeler, Brad  
Sent: Wednesday, March 23, 2005 12:50 PM  
To: Wheeler, Brad; Casi Ferguson (E-mail)  
Cc: Conquest, Mary (ITCD); Gamey, Cara  
Subject: RE: CAN'T OPEN TKT

[REDACTED] had to be manually created.  
Originally given [REDACTED] to GOB today after t completed

-bw  
x6933

-----Original Message-----

From: Wheeler, Brad  
Sent: Wednesday, March 23, 2005 12:21 PM  
To: Casi Ferguson (E-mail)  
Cc: Conquest, Mary (ITCD)  
Subject: CAN'T OPEN TKT

Everyone keeps saying that they have no record for the following order and circuits for us to open a trouble against!  
How is this possible? I have been on the phone for over 20 minutes!!!  
This is the [REDACTED] who was down for 4 hours yesterday because we did not see Go-Ahead Notification [REDACTED] [REDACTED] [REDACTED]

-----Original Message-----

From: Tech.Talk@BellSouth.com [mailto:Tech.Talk@BellSouth.com]  
Sent: Tuesday, March 22, 2005 7:02 PM  
To: BLane@itcdeltacom.com; Cindy.Doerfer@itcdeltacom.com  
Subject: BellSouth

BELLSOUTH --- Go-Ahead Notification

BellSout has completed The transfer of the following circuit(s) to your fa lities

Order Type and Number N143QPY5  
Due Date: 20050321  
Wire Center: 256764

Exchange Carrier ID: 7727  
Purchase Order Number: BWFLRNALMA10  
Billing Account Number 256 M69-6304

Local Serving Office:  
BellSouth Circuit Identification.  
Your Circuit Identification (if provided)

256764  
10.TYNU.506301..SC

Local Serving Office:  
BellSouth Circuit Identification:  
Your Circuit Identification (if provided):

256764  
10.TYNU.506302..SC

-bw  
x6933

**MVC**

**Exhibit 2**

---

**Conquest, Mary (ITCD)**

**From:** Lane, Brenda (ITCD)  
**Sent:** Tuesday, July 19, 2005 5:44 PM  
**To:** Tucker, Randy (ITCD); Stewart, Teresa (ITCD)  
**Cc:** Garney, Cara; Conquest, Mary (ITCD)  
**Subject:** Non-Coordinated BOPI TN07194614B0

9 customers / 25 lines

We had one customer that was dropped this time around. The go-ahead notification was not received on PON DLT5UNEL4136279A (5 lines).

BTN 423-892-8539  
Bell Order # N958B1H2

Customer called in a trouble at 1:49pm, the lines were activated at 3:41pm. TT# 11418411

Thanks

*Brenda Lane*  
*Manager*  
*Account Coordination Team*  
*256-264-1621*  
*256-264-1060 Fax*  
*blane@itcdeltacom.com*

7-20 John L ✓ 8

7/20/2005

**MVC**

**Exhibit 3**

## Conquest, Mary (ITCD)

---

**From:** Gardner, Deborah L [Deborah.Gardner@bellsouth.com]  
**Sent:** Friday, August 05, 2005 10:55 AM  
**To:** mconquest@itcdeltacom.com  
**Cc:** Sherwood, Suzy  
**Subject:** FW: Feedback request (sent via Oracle):

Mary,

The completed BOPIs not appearing on the Completed / Cancelled Report should be fixed as of 8/22. This had already been internally identified and the repair scheduled.

Completed Cancelled BOPIs should appear on that report for 7 days

The cause of the response time slow down was identified Aug 2 and a request was submitted to have the filters removed from the tool to increase the response time. I have not yet been provided a scheduled implementation date for the slow down fix, but I'll pass it on when I get it.

Thanks,  
Debbie Gardner  
Analyst - CLEC Interface Group  
404-927-2175

DATE: 08/01/05 05:59:29  
FEEDBACK\_ID: 1020  
FIRST\_NAME: 48F14B80FD  
LAST\_NAME: Mary Conquest  
COMPANY: ITC^DeltaCom  
PHONE: 256 382 5967  
EMAIL: mconquest@itcdeltacom.com  
ERROR\_DESC: Enter your feedback here  
PROBLEM: PMAP keeps getting slower and we do not have access to the Completed/Cancelled BOPI report. We should be able to view these.

\*\*\*\*\*

"The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon, this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers." 118

**Conquest, Mary (ITCD)**

---

**From:** Sherwood, Suzy [Suzy.Sherwood@BellSouth.COM]  
**Sent:** Tuesday, August 02, 2005 1:25 PM  
**To:** mconquest@itcdeltacom.com  
**Subject:** PMAP Feedback Request

Mary -

Just wanted to let you know that I have received your PMAP Feedback request and am in the process of investigating. I have learned that the slow response time may be due to the filter function, which I believe we are going to remove. Hopefully this will help with the response time. I will keep you posted on this one.

I have someone looking into why you cannot access your Completed/Cancelled BOPI report and will get back with you as soon as I hear back.

Thanks!

Suzy Sherwood  
Data Analyst - CLEC Interface Group  
404-927-4436  
ssherwood@imcingular.com

\*\*\*\*\*

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers.  
163

8/2/2005

**BELLSOUTH<sup>®</sup> Performance Measurement and Analysis Platform**[Home](#) | [Switchboard](#) | [Logout](#) | [Account Mgmt](#) | [Web Services](#) | [Contact Us](#) | [Exhibits](#) | [Site Help](#) |**Thank You for your feedback**

We appreciate your feedback! It will be routed to a support person as soon as possible.  
If you would like to provide additional feedback, please submit another feedback.  
Your feedback reference number is: 48F14B80FD

\* required field.

**Feedback Information:**

Name:\*

Mary Conquest

Company:\*

ITC^DeltaCom

Phone:\*

256 382 5967

Fax:

256 382 3936

Email:\*

mconquest@itcdeltaco

Address:

7067 Old Madison Pike  
Ste 400  
Huntsville, AL  
35896

Your Comments:

Enter your feedback here  
PROBLEM: PMAP keeps getting slower and we do not have access to the Completed/Cancelled BOPI report. We should be able to view these.

Please hit submit button only once.

submitclear

Confidential/Proprietary: Contains private and/or proprietary information. May not be used or disclosed outside the BellSouth companies except pursuant to a written agreement. PMAP Web Delivery 4.0.1425.28326



## **BELLSOUTH® Performance Measurement and Analysis Platform**

| [Home](#) | [BellSouth.com](#) | [Login](#) | [Web Services](#) | [Contact Us](#) | [Exhibits](#) | [Site Help](#)

### **PMAP System Error**

**There was a system error that occurred in the processing of your request.**

**The system has automatically dispatched an operator to correct the problem, please try your request later. We apologize for the inconvenience.**

**Confidential/Proprietary: Contains private and/or proprietary information. May not be used or disclosed outside the BellSouth companies except pursuant to a written agreement. Copyright 2002.**

**MVC**

**Exhibit 4**

**BELLSOUTH**

BellSouth Telecommunications, Inc.  
600 19<sup>th</sup> Street North  
12/B3  
Birmingham, AL 35203

John.Griffin@BellSouth.com

John Griffin  
CWINS Support Manager

Phone (205) 714-0491  
Fax (205) 321-3178

August 2, 2005

Mary Conquest  
ITC^DeltaCom

Subject: RCA for service order N958B1H2

Dear Mary Conquest:

This letter is in response to your request for a Root Cause Analysis (RCA) concerning service order N958B1H2.

Service order N958B1H2 was part of a non-coordinated UNE-P to UNE-L bulk migration scheduled for conversion on July 19, 2005. The bulk consisted of 9 service orders, of which, four (4) required an outside dispatch while the remaining five (5) were converted to UNE loop by central office personnel. The Enhanced Delivery Initiative (EnDI) application provided mechanized "Go-ahead" notification messages to the CLEC on eight (8) of the nine (9) orders between 8:29 AM through 10:27 AM.

This specific service order required a dispatch to complete the conversion. The cutover and service order completion activity was concluded at 8:36 AM on the due date. At 2:30 PM, BST personnel monitoring EnDI provisioning reports observed that the order was still in pending status. A follow up was made, per their process, to ensure the order was loaded to be worked. During this follow up, it was discovered that the field conversion had been made earlier in the day, however, the electronic notification to port had not been sent to DeltaCom. BST personnel immediately sent a manual "Go-Ahead" email message to Brenda Lane of DeltaCom. A follow up was made at 5:30 PM to monitor the port activity for the telephone numbers and it was discovered that DeltaCom still had not activated a port message. A call was placed to the contact number provided by DeltaCom to advise that porting still had not occurred and that an activate message needed to be sent to NPAC. The five (5) numbers were ported at 5:34 PM.

On-going investigation indicates a system problem that was unique to this order. Efforts to replicate the error have not been successful. The system support administrators for all the involved systems are still actively pursuing investigation as to the root cause of the system problem. All other orders in that office for that day processed correctly.

Sincerely,  
John Griffin  
CWINS Support Manager

BellSouth  
Customer Care

**Conquest, Mary (ITCD)**

---

**From:** Griffin, John M [John.Griffin@BellSouth.com]  
**Sent:** Tuesday, August 02, 2005 2:05 PM  
**To:** Conquest, Mary (ITCD)  
**Subject:** RCA for Bulk Migration

Mary,

You had asked for a Root Cause Analysis on service order N958B1H2 have attached it to this email

<<N958B1H2.pdf>>

Let me know if you need anything further.

John Griffin

CWINS Support Manager

205-714-0491

\*\*\*\*\*

The information transmitted is intended only for the person or entity to which it is addressed and may contain confidential, proprietary, and/or privileged material. Any review, retransmission, dissemination or other use of, or taking of any action in reliance upon this information by persons or entities other than the intended recipient is prohibited. If you received this in error, please contact the sender and delete the material from all computers.

162

8/2/2005

## **Conquest, Mary (ITCD)**

---

**From:** Lane, Brenda (ITCD)  
**Sent:** Friday, July 29, 2005 5:50 AM  
**To:** Tucker, Randy (ITCD)  
**Cc:** Conquest, Mary (ITCD)  
**Subject:** FW: BellSouth - Late Go Ahead Notification

We just rec'd the BellSouth go-ahead notification on the non-coordinated PON for the 19th. This is the one that we didn't receive on the cut date.

Thanks

Brenda Lane  
Manager  
Account Coordination Team  
256-264-1621  
256-264-1060 Fax  
blane@itcdeltacom.com

-----Original Message-----

**From:** Tech.Talk@BellSouth.com [mailto:Tech.Talk@BellSouth.com]  
**Sent:** Thursday, July 28, 2005 5:32 PM  
**To:** BLane@itcdeltacom.com; UNEL@itcdeltacom.com  
**Subject:** BellSouth

BELLSOUTH --- Go-Ahead Notification

BellSouth has completed The transfer of the following circuit(s) to your facilities

**Order Type and Number:** N958B1H2  
**Due Date:** 20050719  
**Wire Center:** 423892

**Exchange Carrier ID:** 7727  
**Purchase Order Number:** DLT5UNEL4136279A  
**Billing Account Number:** 423 M10-3346

**Local Serving Office:** 423892  
**BellSouth Circuit Identification:** 80.TYNU.510066 SC  
**Your Circuit Identification (if provided):**

**Local Serving Office:** 423892  
**BellSouth Circuit Identification:** 80.TYNU.510067 SC  
**Your Circuit Identification (if provided):**

**Local Serving Office:** 423892  
**BellSouth Circuit Identification:** 80.TYNU.510068..SC  
**Your Circuit Identification (if provided):**

**Local Serving Office:** 423892  
**BellSouth Circuit Identification:** 80.TYNU.510069..SC  
**Your Circuit Identification (if provided):**

Local Serving Office:

423892

BellSouth Circuit Identification:

80.TYNU.510070..SC

Your Circuit Identification (if provided):

**MVC**

**Exhibit 5**

In light of these new procedures, we cannot conclude that the hot cut processes will be insufficiently scalable to handle those lines that are transitioned from UNE-P to UNE-L arrangements. Rather, any inadequacies in carriers' hot cut performance can be addressed through enforcement of interconnection agreements and, in the case of BOCs, complaints pursuant to section 271(d)(6).<sup>570</sup>

212. We find that these batch hot cut processes also help address concerns about service disruptions. In particular, some of these new batch hot cut processes offer competing carriers the ability to schedule hot cuts outside of normal business hours.<sup>571</sup> This increased flexibility provides the potential to reduce the risk that any delays or disruptions will come during a time of day when they are likely to be observed by mass market customers.

213. Further, the record reveals that these batch hot cut processes have lower NRCs. For example, the New York DPS has approved Verizon's new batch hot cut processes, adopting hot cut NRCs far below the \$185 per line cited in the *Triennial Review Order*.<sup>572</sup> Region-wide, BellSouth offers a batch hot cut process at a ten percent discount off of the applicable state-established hot cut NRC to account for the efficiencies gained by using a batch process.<sup>573</sup> Qwest has also instituted a batch hot cut process that is available at prices below the TELRIC rates set by state commissions for individual hot cuts.<sup>574</sup> SBC has implemented a variety of enhancements to its hot cut processes that will result in lower hot cut

(Continued from previous page)

(N.Y. DPS Aug. 25, 2004) (*New York Hot Cut Order*), cited in Verizon Comments at 113. We note, in contrast, that Verizon's ability to perform the necessary volumes of hot cuts in New York was a particular concern in the *Triennial Review Order*. 18 FCC Rd at 17272, para. 469. Some states only initiated batch hot cut proceedings in response to the *Triennial Review Order*, and have not completed those proceedings. We emphasize, however, that regardless of the status of the state proceedings, each of the BOCs has adopted batch hot cut processes throughout its territory and has based its advocacy with regard to unbundled mass market local switching on the continued availability of these processes.

<sup>570</sup> 47 U.S.C. § 271(d)(6).

<sup>571</sup> For example, Qwest designed its batch hot cut process to "perform [the physical cut over of the loops] in the[] early morning hours," as early as 3 a.m., to ensure "little or no disruption to the end users [sic] service and [to permit technicians to work] on frames in an efficient manner with little to no traffic on them." Qwest Comments, Attach. 1 at 35. BellSouth is in the process of adding new hot cut features including after hours and weekend hot cuts. See BellSouth Comments at 31-32. SBC also offers extended business hours during which hot cuts can be performed. See Kansas Commission Comments at 17. As part of Verizon's "project" process for large volumes of hot cuts, loops included in the project are typically cut over after normal business hours." *New York Hot Cut Order* at 16.

<sup>572</sup> Specifically, the New York Department set rates as follows: for a basic 2-wire line, \$42.36 for the initial line and \$29.42 for each additional line; for a basic 4-wire line, \$69.60 for the initial line and \$45.09 for each additional line; for each line in a "large job" hot cut, \$33.84 for the initial line and \$27.92 for each additional line; and for each line in a "batch" hot cut, \$28.17 for the initial line and \$23.72 for each additional line. *New York Hot Cut Order*.

<sup>573</sup> BellSouth Reply at 24; see also BellSouth Comments at 34

<sup>574</sup> Qwest Comments at 50. In most Qwest states, per-line batch hot cut rates are .5% to 16.8% less than the individual hot cut rates. Qwest Reply at 85.